

CHAPTER 3  
FSA INSPECTIONS

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### 3.1 GENERAL INFORMATION

- a. The Farm Service Agency (FSA) is an agency of the United States Department of Agriculture that administers specific commodity programs designed for voluntary production adjustment; resource protection; and price, market, and farm income stabilization. Included in these programs is the responsibility to purchase food items for use in domestic and overseas (export) feeding programs.
- b. FSA, together with the Food and Consumer Service (FCS) and the Agricultural Marketing Service (AMS), is involved in all stages of planning, purchasing, allocating, and distributing commodities to domestic outlets, such as the National School Lunch Program, Indian Feeding Program, and needy family feeding.
  - (1) FSA contracts using FCS funds to purchase commodities, such as grain, dairy, cereal, peanuts, and oil products.
  - (2) Through FCS Regional Offices, FCS provides commodities to the State distributing agencies and, through them, to all eligible recipient agencies and outlets.
- c. FSA, together with the Agency for International Development and overseas distribution agencies, such as CARE, is involved in purchasing, transporting, and distributing commodities overseas under Public Law 480 provisions. FSA's primary function is to contract for the purchase and transportation of the product.
- d. FSA's Kansas City Commodity Office (KCCO) in Kansas City, Missouri, has specific responsibility for the purchasing, handling, storage, and disposal of commodities and products held by the Commodity Credit Corporation (CCC) and for the administration of contracts awarded by FSA and AMS.
- e. KCCO monitors the transportation of food across the United States and to foreign countries and maintains a communication network with the vendors and the receivers concerning the delivery and shipment of donated food.

- f. FSA develops purchase announcements for the various types of food purchased.
- (1) These purchase announcements include or reference all requirements contractors must meet.
  - (2) One of these requirements is that all products must be inspected. For example, all grain products must be inspected at the contractor's facility by FGIS.
  - (3) For products purchased by KCCO, invitations for bids generally are issued monthly. The invitation provides prospective contractors with the quantity, product type, destination, carrier information, and shipping period of the commodity desired. Invitations may modify the requirements in the purchase announcement.
  - (4) Offerors bid on these products and KCCO awards contracts to the successful offerors on a competitive basis.
  - (5) Once the contracts have been awarded, KCCO produces a purchase abstract which specifies the contractor's name, address, plant location, quantity and type of commodity, price, pack size, destination, delivery order number, mode of transportation, shipping period dates, the purchase announcement, and invitation under which the contract was awarded.
  - (6) A copy of the abstract is provided to FGIS so that inspection can be carried out in accordance with the announcement and invitation.
  - (7) FGIS then inspects the product according to the contract and issues certificates stating the product does or does not meet the contractual requirements.
  - (8) FSA also makes surplus products in CCC storage available for distribution.

### **3.2 CHECKLISTS OF ASSIGNED RESPONSIBILITIES**

Appendix A contains checklists of the assigned responsibilities for processed grain products purchased by FSA. The checklist provides a desk reference list of services to be performed, the authorization for these services (specification, announcement, and commercial item description (CID)), laboratory responsibilities, and testing fees.

### 3.3 CHECKLOADING

- a. Domestic shipments. Domestic shipments do not require checkloading. However, applicants may request checkloading in accordance with FGIS Program Directive 918.50, Checkcounting, Observation of Loading, and Checkloading Services.
- b. Export shipments. The purchase announcement will indicate when checkloading is required for export shipments. Only "intermodal plant" movements require checkloading and are identified by an "R" preceding the plant location which appears on the extreme left side of the abstract. Unless requested by the applicant, "intermodal bridge" (identified with a "B" preceding the bridge port location) is not checkloaded. Applicants may request and receive checkloading service when it is not required by the purchase announcement. FSA purchase announcements require that export railcars meet the following rules found in the Association of American Railroads (AAR) Standards, Pamphlet No. 17:

#### Section II -General Rules

##### **Subsection A - Selection and Preparation of Railcars**

- A4. Before loading, inspect, clean, and prepare cars carefully. Sweep floors if necessary. Remove all protrusions including nails, straps, anchor plates, etc. Clean floor tracks where bulkhead doors will be locked.
- A7. When plug doors do not provide a flush surface with the car side walls, use protective material such as corrugated fibreboard.

##### **Subsection C - Doorway Protection**

- C1. Use flush doorway protection in boxcars with sliding doors to prevent the lading from coming in contact with or the weight of the lading bearing against the doors. Protect openings with wood bracing; flat steel straps covered with corrugated fibreboard secured so as not to fall out of

position (one steel strap for every layer of product or every 6 to 12 inches); steel strap reinforced retaining strips or other material of sufficient strength for the weight of lading. If lading is unitized by stretch wrap, shrink film, gluing or other means, one steel strap is required for the bottom unit and two steel straps for the top unit.

### **Subsection G - General Loading Principles**

- G3. When shipments in non-insulated cars may be subject to climatic changes leading to condensation, it may be necessary to use protection over the top of the load.

## **Section VI - Manual Loading**

### **Subsection D - Loading Bags and Bales**

- D1. Line floor, ends, and side walls with paper or fibreboard protection to reduce chafing or abrasion damage to the lading.
- D2. Apply paper or fibreboard lining to sufficient height to provide adequate protection for number of layers to be loaded.
- D4. Whenever possible, load bag tops facing to the walls of the car to afford additional protection against chafe damage.
- (1) When checkloading export railcars or if onsite performing other duties while railcars are being loaded even though checkloading is not being performed, confirm that the AAR requirements are met by examining the car to ensure that:
- (a) The car is clean and free of objects that could damage the product (i.e., basic stowage exam) and,
  - (b) Adequate door and wall protection is in place for the door opposite the loading door.

- (2) Then, once loading is completed, examine the railcar to ensure that:
  - (a) Adequate door protection is in place for the loading door and,
  - (b) The cargo is not loaded above the fibreboard and/or paper lining
- (3) If the applicant fails to follow the AAR requirements:
  - (a) Note the problem on the certificate, including the railcar alphanumeric in the statement: e.g., "Railcar ATW-123735 contained protruding nails that were not removed prior to loading." "Door protection in railcar NRL-67293 did not meet AAR requirements." "Bags were loaded into railcar KFR-45901 above the wall liner."
  - (b) Do not report the problem to KCCO.

### 3.4 FILTH TESTING

- a. General. Under an agreement with FSA, FGIS randomly tests lots for filth to determine if they meet the defect action levels established by the Food and Drug Administration (FDA). If an applicant does not wish to participate in the random selection testing of lots, the applicant may request that all lots be analyzed at their expense.
- b. Sampler Responsibilities.
  - (1) Insert the words "FILTH TEST" predominantly in the Laboratory Instructions block of the Form FGIS-992, Services Performed Report, for the first lot of each contract.
  - (2) In addition to placing this information on the FGIS-992, include the words "CHANGE IN COMMODITY" for the first change in commodity within the contract.

For example:

LOT	COMMODITY	STATEMENT
1	Spaghetti	"FILTH TEST"
2	Spaghetti	No statement
3	Rotini	"CHANGE IN COMMODITY, FILTH TEST"
4	Spaghetti	No statement
5	Spaghetti	No statement
6	Macaroni	"CHANGE IN COMMODITY, FILTH TEST"
7	Rotini	No statement

c. Laboratory Procedures. The Commodity Testing Laboratory (CTL) shall analyze for filth the first lot of a contract offered by the applicant for inspection and the first lot offered after a change in the commodity type (e.g., bread to all purpose flour) occurs within the contract.

- (1) If the first lot complies with FDA limits, the laboratory analyzes 10 percent of the remaining lots.
- (2) If the first lot exceeds FDA's limits, each following lot shall be analyzed for filth until the lots are found to comply with FDA's limits. At which time, the laboratory shall begin analyzing 10 percent of the remaining lots.
- (3) If one of the randomly selected lots does not meet FDA's limits, CTL will test the following lots and the previous lots that were not tested to determine the extent of the problem.

For example, if the laboratory randomly selects lot 25 for filth analysis and the analysis indicates that the lot exceeds FDA's limits, the laboratory will analyze lot 26 and all following lots until the lots are found to comply with FDA's limits. The laboratory will also analyze lot 24 and all previous lots until the lots are found to comply with the limits.

- (4) CTL may analyze more than 10 percent of the lots when lots are found to have significant amounts of filth but are below the FDA limits.

d. Certification.

- (1) Certify filth analysis results according to Chapter 6, Certification.
- (2) If the laboratory reports that a lot has failed the filth test after it was initially certified, notify the applicant of the failure and issue a corrected certificate for the lot.

- e. Fees.
- (1) The cost of the original filth test will be billed by CTL to FSA.
  - (2) When the applicant for inspection requests a retest or appeal because of a failing filth result, the field office will bill the applicant for the filth test.
  - (3) If the applicant requests that all lots be analyzed for filth in lieu of the random testing, bill the applicant for all original, retest, and appeal filth tests. In this situation, CTL will not bill FSA for the original filth tests.
  - (4) Occasionally, the applicant may request an appeal on a lot that was originally tested for filth because a factor other than filth, such as ash, does not meet contract specifications.
    - (a) Because the regulations require that all factors tested on the original inspection must be tested on the appeal inspection, the laboratory will perform a filth test.
    - (b) In these instances, do not bill the applicant for the filth test.

### 3.5 LOT CODING

- a. FSA export purchase announcements require that the contractor place a unique lot code for every lot offered for inspection on the following export containers:
- 50-kilogram capacity textile (polyweave) bags
  - 25-kilogram capacity multiwall paper bags
  - 208-liter capacity drums
  - 20-liter capacity pails
  - 4-liter capacity cans
  - Shipping containers for 4-liter capacity cans
- b. FSA domestic purchase announcements require that the contractor place a unique lot code for every lot offered for inspection on all primary and secondary containers except plastic for bailers.

- c. The contractor may use any type of codes desired and may place the codes anywhere on the outside of the containers. Specific codes can only be used one time for each contract. Lots that are not uniquely marked will be treated as any other lot with marking deficiencies and rejected.
- d. When a **new original inspection** is performed on a rejected lot that was previously inspected and coded, the contractor may offer the lot for inspection without revising the lot code.
- e. If the contractor elects to rework a rejected lot, they may:
  - (1) Completely reprocess the lot by emptying the containers, reprocessing the commodity, and repacking the lot. In this situation, the contractor must place a different lot code on the containers from the original code.
  - (2) Remove a portion of the lot that they suspect is inferior and causing the lot to fail to meet specifications. In this instance, the contractor has an option. They may obliterate the original lot code and place a new lot code on all the bags now offered for inspection; **or**, they may keep the original lot code on the bags that remain in the lot and obliterate the lot code on the bags that are removed from the lot and allow official personnel to verify that the codes are obliterated.

**For Example:** Contractor elects to rework a lot coded as lot 203 containing 5,000 containers by removing 1,000 containers suspected of causing the lot to fail and replacing them with 1,000 new containers.

- (a) **Option 1;** Contractor recodes the 4,000 good containers as lot 204 and codes the 1,000 replacement containers as lot 204.
- (b) **Option 2;** Contractor leaves lot code 203 on the 4,000 good containers, places lot code 203 on the 1,000 new containers added to the lot, obliterates the lot code 203 on the 1,000 bags that are removed from the lot, and FGIS verifies that the code is obliterated from the 1,000 bags removed from the lot.
- (3) Remove a suspected portion of containers from the lot and reoffer the lot for inspection as a smaller lot. In this instance, if the contractor elects not to remark the bags left in the lot, they must obliterate the lot code on the portion of the lot removed; and FGIS must verify that the containers removed do not have the same lot code as those that remain in the lot.

- f. Review lot codes with other markings during the condition of food container examination and whenever else possible.
- g. Record the contractors lot code on forms FGIS-992 and FGIS-993, Commodity Inspection Certificate.
- h. If the lot fails to meet the lot coding requirements, consider the lot noncompliance and failing the condition of food container standards and place a statement on the certificate explaining the problem.

The following are examples of statements that can be used:

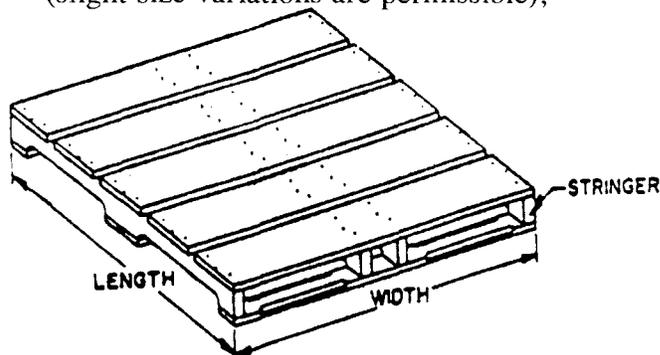
“Lot codes not present.”

“Different lot codes on primary and secondary containers.”

“Lot codes not unique.”

### 3.6 UNITIZATION OF DOMESTIC SHIPMENTS

- a. Unless otherwise specified in the announcement and/or invitation, FSA requires that domestic shipments be unitized.
- b. When inspecting a domestic shipment verify that:
  - (1) The pallets are 48 x 40 in. (120 centimeters (cm) x 100 cm), nonreversible, and have partial four-way entry with flush stringers (slight size variations are permissible);



- (2) The pallets appear suitable to ship the product (pallets are in good repair, free of protruding nails, and clean); and
  - (3) The stretchwrap holds the containers tightly in place. (There is no requirement for the stretchwrap to attach the containers to the pallet as in military unit loads; however, this practice is recommended.)
- c. Some possible statements that may be used when the lot does not meet the unitization requirements are:

"Pallets not correct (type or size)."

"Pallets not suitable to ship product."

"Shipping containers not held tightly by stretchwrap."

**NOTE: Field office managers may alter these statements to provide more information as needed.**

### 3.7 NET WEIGHT AND UNDER-FILL LIMITS

- a. FSA announcements may include average, under-fill, or no net weight requirements. Review announcements to determine the applicable requirement.
  - (1) If the announcement has no net weight requirement, proceed as follows:
    - (a) Compare the average net weight of the containers obtained by checkweighing with the marked net weight on the container or specified in the announcement.
    - (b) If the average net weight of the containers meets or exceeds the marked or specified net weight, multiply the number of containers in the lot by the marked net weight and place this quantity on the certificate.
    - (c) If the average net weight of the containers is less than the marked or specified net weight, multiply the number of containers in the lot by the average net weight obtained by checkweighing and place this quantity on the certificate. Certify the lot as complying with the contract and place a statement in the "Remarks" section of the certificate indicating that the lot does not meet average net weight (see the statement section of chapter 6).

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- (2) If the announcement has an average net weight requirement, the average net weight of the lot must be 98 percent or more of the marked or specified net weight. If the announcement contains an average net weight requirement, proceed as follows:
- (a) Determine if the average net weight of the containers obtained by checkweighing is less than 98 percent of the marked or specified net weight.
  - (b) If the average net weight of the containers meets or exceeds the marked or specified net weight, multiply the number of containers in the lot by the marked or specified net weight and place this quantity on the certificate.
  - (c) If the average net weight of the containers is less than the marked or specified net weight but not less than 98 percent of the marked net weight, multiply the number of containers in the lot by the average net weight obtained by checkweighing and place the quantity on the certificate. Certify the lot as complying with the contract and place a statement in the "Remarks" section of the certificate indicating that the lot does not meet average net weight (see the statement section of chapter 6).
  - (d) If the average net weight of the containers is less than 98 percent of the marked or specified net weight, multiply the number of containers in the lot by the average net weight obtained by checkweighing and place this quantity on the certificate. Certify the lot as **not** complying with the contract and place a statement in the "Remarks" section of the certificate that the lot does not meet average net weight (see the statement section of chapter 6).
- (3) If the announcement has an under-fill requirement for individual containers, proceed as follows:
- (a) Determine the net weight of each individual container weighed by subtracting the established tare weight from the gross weight and further determine if the net weight is less than the under-fill limit.

- (b) If all containers weighed are equal to or greater than the under-fill limit, calculate the weight of the lot and certify in accordance with 1 above as if no net weight requirement exists.
  - (c) If one or more of the individual containers weighed is less than the under-fill limit, certify the lot as not complying with the contract and place a statement in the "Remarks" section of the certificate that the lot fails due to under-filled containers (see statement section of chapter 6).
- (4) If the checkweighing results and marked net weights or specified under-fill limits have a different number of decimal places, round the number with the most decimal places to equal the number with the least decimal places. For example: If checkweighing results indicate the net weight of a 4-liter vegetable oil can is 7.84 pounds and the under-fill limit is 7.9 pounds, round the checkweighing result to 7.8 pounds and consider the lot failing the under-fill requirement.
- (5) If the applicant is dissatisfied with checkweighing results they may:
- (a) Request an appeal inspection on the checkweighing service only;
  - (b) Rework the lot and offer the lot for a new original inspection. If the applicant removes or adds products from the lot, the identity of the lot will be considered changed, and the lot must be resampled for quality factors; or
  - (c) Request acceptance of the lot by FSA. Regardless as to whether FSA elects to accept or reject the lot, certify the lot as not complying with the contract.

### **3.8 SEAL AND PEEL EXAMINATION**

- a. FSA's export purchase announcements for products packaged in multi wall paper bags require that the contractor perform a seal and peel test of the bag closure and maintain records of the test results. The announcements also state that the contractor must provide the FGIS inspector the opportunity to observe every seal and peel test and review the test records. This provision, in effect, mandates online inspection. Inspectors must be present during packaging to verify that the seal and peel tests are performed and corrective action taken when necessary.

- b. Inspectors should attempt to witness as many seal and peel tests as possible but are not required to observe all tests. The contractor's test report records should be reviewed periodically to ensure that they are complete and accurate. If the contractor fails to perform the required tests, document the test results, or take corrective action, certify the lot(s) involved as not complying with the contract requirements and notify KCCO in accordance with section 3.9 of this chapter.
- c. The requirements and procedures for performing the tests are found in the packaging appendix of the purchase announcement.

### 3.9 REPORTING NONCOMPLIANCES

- a. When CTL finds that a product does not meet contract requirements, the laboratory shall notify KCCO of the results by electronic transmission. Lots found to have filth in excess of FDA Defect Action Levels shall also be phoned to KCCO by the laboratory.
- b. If a lot is determined not to meet contract requirements based on inspections at the field (e.g., condition of container, under-fill, unitization, etc.), report these findings to KCCO's Export Operations Division or Domestic Programs Division as applicable.
  - (1) To facilitate this reporting, electronically mail the message to KCCO. A list of appropriate electronic mail boxes can be obtained from the Standards and Procedures Branch.
  - (2) Place the contract and announcement number in the subject line and include the following information in the message:

Lot Number(s)  
Contractor  
Plant Location  
Deficiency

- c. Explain the deficiency in such detail that future communication can be avoided. Attachment 1 provides an example of such a message. The format of the message may be changed as long as all necessary information is provided.
- d. Field offices should also inform the appropriate KCCO Division, telephonically, of potential problems when warranted. Such problems would include leaking roofs, widespread infestation, and unclean conditions found during condition inspections at port warehouses.

### **3.10 MARKING WAIVERS**

- a. To facilitate the handling of minor marking deficiencies (e.g., "50 LBS. Net Weight," rather than "Net Weight 50 LBS."), FGIS has agreed to accept the product when FSA has decided to waive the marking requirement.
  - (1) FSA has agreed to limit these waivers to minor marking nonconformances on specific lot(s), contract(s), or time frames.
  - (2) Attachment 2 provides examples of possible waivers.
  - (3) When a minor marking deficiency is found, notify FSA of the deficiency via electronic mail as soon as possible as described in section 3.9 above.
- b. If KCCO decides to waive the nonconformance, KCCO will send a waiver electronically to the field office and the Standards and Procedures Branch for the specified lot(s).
- c. If a waiver is received, the FGIS field office shall certify the lot(s) as complying with the contract and place the waiver in the file to support the certificate.
- d. Certification should not be delayed awaiting FSA' written confirmation of verbal waivers.

### **3.11 PACKAGING CERTIFICATES OF CONFORMANCE**

- a. Materials used for packaging FSA products must meet the requirements of the specific announcement.
- b. Contractors must provide FGIS with a Certificate of Conformance (COC) from the packaging manufacturer, stating that the packaging meets Deputy Administrator Commodity Operations (DACO) requirements.

- c. The COC may be printed on the container. If the COC is not printed on the container, obtain from the applicant a written COC from the packaging manufacturer for each contract, stating that the packaging materials meet DACO requirements.

### 3.12 SAMPLING PRODUCTS WITH BACTERIOLOGICAL REQUIREMENTS

- a. General.

- (1) Some products purchased by FSA must meet specific bacteriological requirements, such as bacteria count, E. coli, Salmonella, and Staphylococcus aureas.
- (2) The following products currently require bacteriological testing:

Corn Soy Blend, Export	Soy Fortified Bulgur, Export
Corn Soya Milk, Export	Soy Fortified Rolled Oats, Export
Instant Corn Masa Flour, Domestic	Soy Fortified Sorghum Grits, Export
Instant Corn Soya Masa Flour, Export	Wheat Soy Blend, Export
Instant Corn Soya Milk, Export	Wheat Soy Milk, Export
Soy Flour Full Fat, Export	

- b. Sampling Devices.

- (1) Use only stainless steel ladles and triers of the size specified in Chapter 2, Sampling.
- (2) Clean and sterilize ladles, triers (inside and outside of inner and outer tubes), and spoons and maintain their cleanliness and sterility as follows:
  - (a) Before sampling each lot, clean by wiping with clean, dry paper toweling or, when necessary, by washing with soapy water, rinsing with clean water, and wiping dry with clean, dry paper toweling.

- (b) Sterilize immediately after cleaning by immersing in a 70 percent denatured ethyl alcohol solution or wiping with a clean cloth saturated with this solution and shaking dry. The alcohol solution must remain in contact with the surfaces of these materials for at least 1½ minutes.
  - (c) Place in new, clear polyethylene bags immediately after sterilizing and keep them there when not in use.
- (3) If any of the equipment becomes contaminated while sampling a lot, immediately clean and sterilize it or obtain and use clean and sterile equipment.

Examples of equipment contamination are: (1) the ladle falls on the floor, or (2) it is time to obtain a sample portion and you did not return the ladle to the container (bag) immediately after taking the previous sample portion.

c. Sample Containers.

- (1) When sampling products with bacteriological requirements, clean sample pails and lids according to the instructions in paragraph B.
- (2) Place the sample in clean plastic bags.
- (3) To prevent external contamination, keep the sample bags (composite and subsample) closed, except when adding or transferring samples.

### **3.13 SAMPLING PRODUCTS WITH SALMONELLA REQUIREMENTS**

a. General.

- (1) Some FSA purchase announcements require that products be tested for Salmonella.

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- (2) The following is a list of products which currently require Salmonella testing:

Corn Soy Blend, Export  
Corn Soya Milk, Export  
Instant Corn Soya Milk, Export  
Wheat Soy Blend, Export  
Wheat Soy Milk, Export

- (3) For products requiring Salmonella testing, obtain a separate set of samples from selected lots and analyze them for Salmonella. FGIS considers Salmonella a deleterious substance. Salmonella positive lots shall be reported to FDA.

b. Sampling Devices.

- (1) Obtain Salmonella samples with individually-wrapped, sterile, and disposable plastic tablespoons or sterilized stainless steel tablespoons.
- (2) When obtaining Salmonella samples with stainless steel tablespoons, wash and sterilize the spoons before sampling and maintain the spoons in a sterile condition as follows:
- (a) Wash spoons with soapy water, rinse with clear water, and wipe dry with paper toweling.
  - (b) Wrap individual spoons completely with aluminum foil and heat the wrapped spoons for 1 hour in an oven with a temperature of at least 350 degrees Fahrenheit (177 Celsius). **CAUTION: Burn Hazard.**
  - (c) Place the wrapped, sterile spoons in a new, polyethylene bag.
  - (d) Close the bag completely and fasten with a clip, band, or similar device immediately after inserting spoons or retrieving a spoon.

c. Sample Containers.

Empty Salmonella samples into sterile polyethylene "whirl-pak" or equivalent sampling bags (4½ in x 9 in, 18 oz or 11.3 cm x 22.5 cm, 504 g).

- (1) The bags may have a write-on area for identification.
- (2) When using bags without write-on areas, place the information on the bags with a permanent marker or on "stick-on" labels attached to the bags.

d. Obtaining Samples.

- (1) Obtain samples from two lots, for each contract, at each plant.
- (2) Select the lots using random sampling techniques.
- (3) As soon as practicable after sampling begins, inform the applicant that you are sampling the lot for Salmonella analysis.
- (4) Obtain samples from a lot as follows:
  - (a) Select eight containers.
  - (b) Collect 24 samples aseptically (under sterile conditions) from the 8 containers; 3 samples from each container. Each sample must weigh approximately 250 grams.
  - (c) When obtaining a sample portion for the composite sample and a Salmonella sample from the same container, take the Salmonella sample first.
  - (d) When obtaining samples from containers before closure, obtain the samples after the containers pass the "dribbler," if there is one, and immediately after they are full.
  - (e) Obtain a sample from a closed container as follows:
    - 1) Lay the container flat.

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- 2) Sterilize a cutting blade by dipping it in a 70 percent denatured ethyl alcohol solution and allowing it to air dry before each use. The solution must remain in contact with the blade for at least 1½ minutes. Prepare the solution outside of the plant or warehouse or in the plant's laboratory.
- 3) Open a hole in a corner with the sterile blade and carefully fold back the cut portion. Make the hole just large enough to obtain the sample.
- 4) Use a separate spoon for each container.
- 5) Spoon the commodity into an 18-ounce sterile "whirl-pak" or equivalent sample bag as quickly as possible.
- 6) Close the bag completely immediately after obtaining the sample. Make sure that the spoon's bowl touches only the product and the inside of the bag.
- 7) Record the contract number, plant location (city and State), date sampled, applicable sample number (1A, 1B, and 1C if from the first container; 2A, 2B, and 2C if from the second container; . . . ; 8A, 8B, and 8C if from the eighth container), and the phrase "Salmonella Sample" on the "whirl-pak" bag.
- 8) Immediately after sampling a container, place the filled "whirl-paks" into three new, clear polyethylene bags. Do this according to letter code (1A, 2A, . . . 8A in one bag; 1B, 2B, . . . 8B in another bag; and 1C, 2C, . . . 8C in the third bag).
- 9) Close each bag and fasten with a clip or band immediately after inserting a filled "whirl-pak" bags.

- e. Prepare a form FGIS-992 for the Salmonella samples only. Record one of the following phrases, as applicable, in the "Number and Kind of Containers/Laboratory Instructions" block.
  - (1) "Sampled for Salmonella analysis."
  - (2) "Sampled for Salmonella analysis because a sample of Lot No. \_\_\_\_, Contract No. \_\_\_\_, showed evidence of Salmonella."
  - (3) "Sampled for Salmonella analysis; confirmation testing."
  - (4) "Sampled for Salmonella analysis; heat treated."
- f. Distribute the samples as follows:
  - (1) Send the eight "A" samples and the laboratory copy of form FGIS-992 to CTL.
  - (2) Give the eight "B" samples to the applicant.
  - (3) Keep the eight "C" samples secure for reserve samples.

### **3.14 TESTING SALMONELLA SAMPLES**

- a. CTL will make two composite samples out of the eight "A" samples (four randomly-selected "A" samples; 100 grams from each yields one 400-gram sample).
- b. When both samples are Salmonella negative (do not contain Salmonella), the field office shall notify the applicant that the lot does not contain Salmonella.
- c. When one sample is Salmonella positive (contains Salmonella), the field office shall notify the applicant that the lot shows evidence of Salmonella and that they may accept the result or request confirmation testing.
  - (1) If the applicant accepts the result, the lot is Salmonella positive.
    - (a) If the applicant requests confirmation testing and the lot's location is the plant that produced it or another plant owned by the applicant, obtain and distribute 36 samples from 12 additional containers (3 from each container).

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- (b) When the lot is at any other location, obtain only 2 samples per container (12 "A" samples for CTL and 12 "B" samples that you must keep secure for reserve samples).
  - (2) CTL will make 3 composite samples out of the 12 "A" samples (4 randomly-selected "A" samples; 100 grams from each, yields one 400-gram sample) and analyze them for Salmonella.
    - (a) If the three samples are Salmonella negative, notify the applicant that the original Salmonella positive result is an incidental occurrence and the lot is Salmonella negative.
    - (b) If any sample is Salmonella positive, notify the applicant that the analysis confirms the original Salmonella positive test result and the lot, therefore, contains Salmonella.
  - (3) Confirmation testing is a part of the original inspection. Therefore, do not issue the original inspection certificate until the applicant declines confirmation testing or you receive confirmation test results from CTL.
- d. When both samples are Salmonella positive, the field office shall notify the applicant that the lot contains Salmonella. If the applicant requests confirmation testing, inform them that FGIS does not provide this service when both samples are Salmonella positive.
- e. When any sample is Salmonella positive, obtain Salmonella samples from every lot.
- (1) Start with the lot that the applicant is producing at the time you receive the Salmonella positive test result or, if the applicant is not producing one, with the next lot.
  - (2) Continue obtaining Salmonella samples from every lot until:
    - (a) The original Salmonella positive test result is considered an incidental occurrence;

- (b) All file samples, upon retesting, are Salmonella negative (see section 3.14); or
  - (c) The applicant has a record of at least six consecutive Salmonella negative lots, whichever comes first.
- f. CTL will complete all tests in progress on the day that (whichever comes first):
  - (1) It finds the sixth sample Salmonella negative;
  - (2) It confirms that the Salmonella positive sample is an incidental occurrence; or
  - (3) A retest inspection shows that the lot is Salmonella negative.

CTL will discard all Salmonella samples that arrive at the laboratory after that date, if official personnel obtained them because a Salmonella test result was positive. The field office must stay in close contact with CTL to determine which samples CTL analyzed and is analyzing. Bill the applicant for all completed Salmonella analyses.

### **3.15 RETEST INSPECTION SERVICE FOR SALMONELLA POSITIVE LOTS**

When a lot is Salmonella positive, applicants may request a retest inspection.

- a. If an applicant requests, and the field office approves, a retest inspection, CTL will test each file sample for Salmonella (two file samples when one of the two original samples was Salmonella positive and the applicant did not request confirmation testing; two file samples when two original samples were Salmonella positive; five file samples when one of the two original samples was Salmonella positive, the applicant requested confirmation testing, and any of the three confirmation samples were Salmonella positive).
- b. If CTL determines that one file sample is Salmonella positive, the lot is Salmonella positive.
- c. No appeal inspection may be obtained.

### 3.16 HEAT-TREATED SALMONELLA POSITIVE LOTS

- a. FSA's announcements specify that contractors may treat Salmonella positive lots with heat; and FSA will accept Salmonella positive lots that, after heat treatment, meet all announcement quality specifications, including Salmonella negative.
- b. After you receive a request from an applicant to inspect a heat-treated Salmonella positive lot, obtain sample portions and Salmonella samples as follows:
  - (1) Sample Portions. Obtain and composite sample portions and distribute subsamples according to Chapter 2, Sampling, except that the sample size is 36 containers. CTL will analyze the sample for all announcement quality factors, except Salmonella.
  - (2) Salmonella Samples. Obtain and distribute Salmonella samples according to the normal procedures, except that you must obtain 36 samples from 12 containers (3 from each container).
    - (a) CTL will make 3 composite samples out of the 12 "A" samples (4 randomly-selected "A" samples; 100 grams from each yields one 400-gram sample) and analyze each for Salmonella.
    - (b) If any sample is Salmonella positive, the lot is Salmonella positive; otherwise, the lot is Salmonella negative. There is no confirmation testing.

### 3.17 SALMONELLA PLANT SANITATION INSPECTIONS

- a. Applicants must produce products that require Salmonella testing in Salmonella-free plants. Perform sanitation inspections according to the Sanitation Inspection Handbook for Beans, Peas, Lentils, and Processed Commodities, except that: (1) frequency will be quarterly, unless conditions are such that more frequent inspections are necessary; and (2) you must obtain environmental material samples during or after completing each inspection and send them to CTL for Salmonella analyses.

b. Environmental Material Sampling.

- (1) Draw samples from locations in the facilities that may harbor organisms, such as:
  - (a) Scrapings from spout and bin buildup.
  - (b) Spilled residue, including material mixed with oil and grease, on or around plant machinery.
  - (c) Residue from plant ventilation filters.
  - (d) Floor sweepings.
  - (e) Material from uncovered bins and areas where dust and debris accumulate.
  - (f) Material from areas where contact with the product is or could be made by humans or other sources of contamination.
- (2) Take samples from three locations immediately after or during each inspection on a rotation basis.
  - (a) Obtain one sample (about 250 grams) per location. Take samples aseptically (see section 3.11).
  - (b) Record date, plant name and location, and sample number (1, 2, 3) on bagged samples and place the samples in a new, clear polyethylene bag.
  - (c) Complete a form FGIS-992 describing in the "Number and Kind of Containers" block, opposite each sample number, the location where you obtained the sample.
  - (d) Mail the three samples, along with the laboratory copy of the FGIS-992, to CTL.

c. Reporting Results and Corrective Actions.

- (1) CTL will report the findings to the field office. The field office shall notify the applicant verbally and then confirm the notification in writing.

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- (2) If a positive test indicates possible product contamination:
- (a) Inform the applicant that plant personnel must clean up the plant and equipment as soon as possible but, in any case, within 7 days.
  - (b) Resample (problem location(s) plus additional location(s)) to obtain three samples after cleanup is completed.
  - (c) Obtain Salmonella samples from three consecutive lots according to section 3.11. Start with the lot that the plant is producing at the time you receive the positive test result or, if it is not producing one, with the next lot. Record the statement "Sampling because of an environmental material Salmonella positive sample" in the form FGIS-992 "Number and Kind of Containers" block.

**NOTE:** **An example of possible product contamination is as follows: Air passes through a type of filter (nonabsolute) that cannot remove 99.9 percent .3 micron or larger particles and comes in contact with the product. A sample taken from the filter tests Salmonella positive.**

- (3) If a positive test does not indicate possible product contamination:
- (a) Inform the applicant that plant personnel must clean up the plant as soon as possible but, in any case, within 7 days.
  - (b) Resample (problem location(s) plus additional location(s)) to give three samples after the plant completes the cleanup. See "A" above (Environmental Material Sampling) for the amount, identification, and description of sample(s) and the completion of form FGIS-992.

**NOTE:** **Contact the Office of the Director, Field Management Division, if there is any question about the likelihood of product contamination.**

### 3.18 EMPTY BAG INSPECTION

- a. FSA purchases empty textile bags under Announcement KC-P-BAGS-304, Purchase of Bags and Twine for Use in Export Programs, as amended. The empty bags are purchased to accompany export bulk whole grain shipments. Empty textile bags are required to be baled (1,000 per bale) for shipment to U.S. ports. FSA requests inspection of the bags at the manufacturers' plants to ensure that the:
- (1) shipping and payment documents accurately reflect the number of bags provided to CCC,
  - (2) bags are properly baled,
  - (3) bags meet contract requirements for markings and size, and
  - (4) Michigan State University School of Packaging is provided with randomly selected samples for the purpose of determining whether the bags meet all other construction and performance requirements outlined in the announcement.

b. Bag count procedure.

- (1) Randomly select bales from each lot offered for inspection to determine the estimated number of bags in each lot as follows:

<u>LOT SIZE</u> <u>(IN BALES)</u>	<u>SAMPLE SIZE</u> <u>(IN BALES)</u>
0 - 50	2
51 - 500	3
501 - 1,000 <sup>1/</sup>	5

<sup>1/</sup> The maximum lot size is 1,000 bales.

**NOTE: Additional bales may be counted if they are suspected of having less than 1,000 bags (appear smaller than others in the lot).**

- (2) Have the applicant remove the strapping from the bales selected.

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- (3) Examine the material used to bale the bags to ensure it complies with the announcement.
- (4) Count the number of bags in each bale and record the number on a work sheet (Form FGIS-992 or locally generated form).
- (5) Average the number of bags in each bale counted. If the average number of bags per bale meets or exceeds 1,000, multiply the number of bales in the lot by 1,000 to determine the estimated number of bags in the lot. If the average number of bags per bale is less than 1,000, multiply the number of bales in the lot by the average number of bags computed to determine the estimated number of bags in the lot.

**EXAMPLE 1.**

Lot size: 40 bales  
Sample size: 2 bales  
Number of bags per bale:     ,005  
   ,007  
                                  TOTAL     2,012

Average number of bags per bale:  $2,012 \div 2 = 1,006$   
Estimated number of bags in lot: 90 bales  $\times$  1,000 = 90,000

**EXAMPLE 2.**

Lot size: 90 bales  
Sample size: 3 bales  
Number of bags per bale:     975  
  1,007  
   989  
                                  TOTAL:     2,971

Average number of bags per bale:  $2,971 \div 3 = 990$   
Estimated number of bags in lot: 90 bales  $\times$  990 = 89,100

c. Bag examination procedure

(1) Randomly select bags for examination from the bales counted as follows:

<u>BALES COUNTED</u>	<u>SAMPLE SIZE IN BAGS</u>
2	8 (4 from each bale)
3	13 (4 from 2 bales and 5 from 1 bale)
5	20 (4 from each bale)

**NOTE:** Additional bags may be selected from other bales if there is reason to believe they are defective.

(2) Examine the bags selected to determine whether they are marked in accordance with the appropriate marking requirements specified by KCCO in the announcement or the wire of acceptance. The bags must also be examined to determine whether they have been constructed with the appropriate identifying marker yarn(s) assigned to the applicant's fabric.

(3) Measure each bag selected and average the measurements. Multiply the average length by the average width to determine the average area of material. The average area must not be less than 880 square inches. No individual bag dimension should be less than 22 inches for the width and 38 inches for the length of the bags.

**EXAMPLE:**

2 Bales Inspected, 8 Bags Measured

Results:	<u>Width</u>	<u>Length</u>
	22.00	38.75
	22.25	39.25
	22.25	39.50
	22.50	40.00
	22.00	39.00
	22.50	40.25
	22.00	39.50
	<u>22.50</u>	<u>39.75</u>

Average:  $178.00 \div 8 = 22.25$  inches     $316.00 \div 8 = 39.50$  inches

Average area:  $22.25 \times 39.50 = 879$  square inches

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**NOTE: Measure and average the bag results to the nearest quarter inch. Round the average area to whole inches.**

d. Bag sampling procedure.

Randomly select three bags from each lot offered for inspection and send them to the following address for testing:

Michigan State University  
School of Packaging  
East Lansing, Michigan 48824-1223  
Attn: USDA/BNT

Michigan State University will report their inspection results directly to CCC.

e. Subsequent inspections.

If applicants are dissatisfied with original inspection results, they may request an appeal inspection under authority of Part 68 Regulations.

f. Certification.

Certify inspection results on Form FGIS-993, Commodity Inspection Certificate, in accordance with chapter 6. See attachment 1 of chapter 6 for an example.

g. Reporting NONCOMPLIANCES

Report NONCOMPLIANCES found to the KCCO/Export Operation Division in accordance with section 3.9.

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NONCOMPLIANCE MESSAGE FORMAT

April 4, 1996

TO: Kansas City Commodity Office  
Domestic Programs Division

FROM: FGIS Baltimore Field Office

SUBJECT: VEPD 00173, WFSF-3

Lot Number(s): 8, 9, 10

Contractor: Best Milling Company

Plant Location: Dunn, North Carolina

Deficiency: Bags State "50 LBS Net Weight" rather than "Net Weight 50 LBS"

ATTACHMENT 2  
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FSA WAIVER EXAMPLES

Example 1:

Posted: Tue, Apr. 4, 1996 9:53 AM EDT  
From: (SITE:FSA.KC, SN:HOLLORAN, FN:KAY)  
To: FM.BAL  
CC: FM.SPB  
Subj: Bag Marking Waiver

The Farm Service Agency will accept all remaining lots of contract VDOD07142 marked "50 LBS. Net Weight" rather than "Net Weight 50 LBS."

Jane Doe, Contracting Officer  
Domestic Programs Division

Example 2:

Posted: Tue, Apr. 4, 1996 9:53 AM EDT  
From: (SITE:FSA.KC, SN:HOLLORAN, FN:KAY)  
To: FM.BAL  
CC: FM.SPB  
Subj: Bag Marking Waiver

The Farm Service Agency will accept all lots of all purpose flour from Best Milling Company, Omaha, Nebraska, marked "50 LBS. Net Weight" rather than "Net Weight 50 LBS." until May 25, 1996.

John Doe, Contracting Officer  
Domestic Programs Division

Example 3:

Posted: Tue, Apr. 4, 1996 9:53 AM EDT  
From: (SITE:FSA.KC, SN:HOLLORAN, FN:KAY)  
To: FM.BAL  
CC: FM.SPB  
Subj: Bag Marking Waiver

The Farm Service Agency will accept lots 8, 9, and 10 of contract VEPD 00164 marked "50 LBS. Net Weight" rather than "Net Weight 50 LBS.".

John Doe, Contracting Officer  
Domestic Programs Division